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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,892	03/31/2004	Moshe Boosy	BOOSY-08803 9061	
75	90 10/14/2005		EXAM	INER
Christine A. Lekutis			WATSON, ROBERT C	
MEDLEN & CARROLL, LLP Suite 350			ART UNIT	PAPER NUMBER
101 Howard Street			3723	
San Francisco,	CA 94105		DATE MAILED: 10/14/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner Art Unit Robert C. Walson 3723		Application No.	Applicant(s)					
Robert C. Watson 3723		10/815,892	BOOSY, MOSHE					
- The MALING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MALLING DATE OF THIS COMMUNICATION. - Estaminos of time may be available under the previous of 3 CPR 1.18(b), in a over, however, may a reply be timely filed - IN NO period for reply is specified above, the nearhours statisticity period will apply and will engire SIX (3) MONTHS from the making date of this communication, 2 Feature or possible that the nearhours statisticity period will apply and will engire SIX (3) MONTHS from the making date of this communication, 2 Feature or property will by statistic, cause the application to become APARNOCHO 35 U.S. C, § 1333, Aprinciply redoved by the Office later then these ments after the making date of the communication, were if timely filled, may reduce any construction and the communication of the property will be stated, cause the application, and the communication of the property will be stated, cause the application and the communication is of the application is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Scalam(s) 1-25 is/are pending in the application. 4) Claim(s) 1-25 is/are allowed. 6) Claim(s) 1-25 is/are allowed. 6) Claim(s) 1-25 is/are allowed. 7) Claim(s) 1-36 are subjected to subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 1-36 are subjected to by the Examiner. Application Papers 9) The drawing(s) filed on 1-36 are subjected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 11) Continued on the carried copies of the priority documents have been received in Appli	Office Action Summary	Examiner	Art Unit					
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1) Responsive to communication(s) filed on 28 September 2005. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-25 is/are pending in the application. 4a) Of the above claim(s) 10-25 is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) 1-9 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some C None of: 1. Certified copies of the priority documents have been received. Attachment(s) 1) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). 3. Copies of the certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received. Attachment(s) 1) Notice of Draft-parson's Patent Drawing Review (PTO-948) 3) Informaliant Discussive Statement(s) (PTO-1449 or PTO/SB/08) 5) Other: Molice of Informal Patent Application (PTO-152) Paper Not(s)/Mail Date. 9) Other: Molice of Informal Patent Application (PTO-152) 10 Other: Molice of Informal Patent Application (PTO-152) 10 Other: Molice of Informal Patent Application (PTO-152) 10 Other: Molice of	 WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any 							
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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2 and 5-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Jelinek.

Jelinek shows a vacuum apparatus. Prior to assembling the top plate 10, the device comprises a grid 14,18, a screen 28, and a tank 20 connected to a source of vacuum. Statements of intended use of the grid have no patentable significance. In any case, the grid of Jelinek is capable of performing the recited intended use; ie., multiple workpieces could be placed in the multiple grids.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jelinek.

The type of vacuum pump employed is no more than an obvious matter of design choice absent a showing of criticality for this feature. The examiner takes Official Notice that vacuum pumps of the rotary vane type are well known. To employ a rotary vane vacuum pump in Jelinek would have been obvious inasmuch as this is a readily available type of vacuum pump.

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Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jelinek in view of Hillier.

Hillier teaches that a custom plate 14 can be used to plug selective holes of the vacuum screen. To employ a custom plate in Jelinek to plug selective holes of the vacuum screen would have been obvious for one skilled in the art at the time the invention was made in view of the disclosure of Hillier. One of ordinary skill in the art would have been motivated to do this in order to assure that vacuum holes directly connected to a workpiece surface are operable.

Claims 10-25 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 9/28/05.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert C. Watson whose telephone number is 571 272-4498. The examiner can normally be reached on Mon. - Thurs., 5:30am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph J. Hail III can be reached on 571 272-4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

rcw

ROBERT C. WATSON PRIMARY EXAMINER